

REMARKS

This paper addresses the Office Action dated June 27, 2007. In that Office Action, claims 1-34 were pending and all were rejected. The present paper amends each of the pending independent claims (claims 1, 18, 19, and 20), and cancels claims 8-10, 12, 15-17, 23 to expedite prosecution. For example, claim 1 has been amended to recite a telephone set that includes a message alert and retrieval device that is substantially larger than any dialing key on the set, that message key above a light source, and where the message key has a centerpoint that is spaced apart from the centerpoint of a first key adjoining the message key by a distance that differs from a distance between the centerpoint of the first key and a centerpoint of a second key adjoining the first key. Thus, not alone does the device combine the functions of displaying the presence of messages and of receiving user selections to retrieve the messages, but the device is also made to stand out in multiple various ways. For example, the device lights up (but only at the appropriate time), the device is larger than the dialing keys and thus more prominent, and the device is set off from the other keys rather than being part of an equally-spaced grid.

The prior Office Action relied primarily on JP 05-0022428 to Yasuko, U.S. Patent 4,351,986 to Fechalos, and U.S. Patent 6,310,609 to Morgenthaler. The Yasuko reference simply shows a block diagram of a standard PBX system, where each telephone has a message reproducing button 4, a separate message recording button 5, and a separate lamp 3 that indicates the delivery of a message. The Fachalos and Morgenthaler references appear to be relied on solely for disclosing the use of a light under a selectable button, but not any light source associated with a message retrieval key, or the powering of the light source to indicate that messages are waiting to be retrieved. The Office Action also relies on U.S. Patent 5,938,772 to Welch as disclosing a message lamp and button, though Welch is a computer and not a telephone, does not include any sort of dialing keys, and simply shows a set of identically-sized, identically-shaped, and identically-spaced buttons. (The Office Action relies on other references as teaching features that we do not address here.)

None of the three-way or four-way combinations applied in prior actions teaches or fairly suggests what is recited in any of the pending independent (or dependent) claims, such as claim

1. In particular, no reference suggests in any manner the benefits of both combining the message waiting and message retrieval functions, and in making the device for such functions prominent in various ways, including by enlarging the device and setting it off from other keys of a telephone set. For example, the Yasuko JP reference does not show the integration at all, and shows light 3 and keys 4 and 5 in an equally spaced line. There is no effort at all to move toward the inventions as recited in the pending claims, when one looks to the Yasuko JP reference. Likewise, the Welch reference is essentially a computer-based answering machine rather than a telephone set, and includes a variety of buttons in a perfectly presented and perfectly spaced grid. It thus lacks numerous features from the claims, and makes no effort to emphasize the presence of a message retrieval device. Fechelos is to the same effect, with every button on the telephone taking the same shape and size, all buttons in equally-spaced grids, and no button associated with any functions like those recited in the pending claims. And Morgenthaler does not any such use of a message alert and retrieval key either -- providing keys that are all similarly sized with the exception of CLR and ABC buttons, that would not be on a PBX-based telephone set in any event. In short, even if one were to pick and choose teachings from the prior art, it would not result in the inventions from the currently amended claims. Moreover, there does not appear to be any reason, aside from the hindsight provided by Applicant's own disclosure, to combine the various references in the manner recited in any of the pending claims. For these reasons, Applicant respectfully requests allowance of the pending claims.

Applicant asks that all claims be examined in view of the amendment to the claims.

Please charge Deposit Account No. 06-1050 in the amount of \$1115 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

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